SOME NEW BOOKS.

Abraham Lincoln's Messages and Papers.

We have before us the sixth volume of the "Messages and Papers of the Presidents," which, by authority of Congress, are now in course of compilation by the Hon. JAMES G. RICHARDSON, a Representative from the State of Tennessee. We need not say that the State papers here presented are of supreme interest, comprising, as they do, the utterances of Abraham Lincoln during the civil war and the views expressed by Andrew Johnson during the reconstruction period. We should mention that interesting documents relating to the death and funeral obsequies of President Lincoln have been inserted, as also some important papers connected with the impeachment of President Johnson. In pursuance of the custom followed in the previous volumes of this work, the compiler has contributed outlines of the principal incidents in the lives of the two Chief Magistrates whose messages are here set forth. They are both models of condensation, that of Lincoln being contained in less than two pages. To this we shall not now refer, the events recorded being familiar to the reader, but we may glance on another occasion at the account of Andrew Johnson.

I.

It was in his first inaugural address that Mr. Lincoln defined with singular distinctness his personal intentions with regard to slavery, and went on to set forth his view of the binding force of the Constitution. In unequivocal language he declared that "I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so." He reminded his auditors that those who had nominated and elected him placed in the platform as a law to themselves and to him the following clear and emphatic resolution: "That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions, according to its own judgment exclusively, is essential to that balance of power on which the perfection of our political fabric depends; and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes." "These sentiments," Mr. Lincoln said, "I now reiterate, and in doing so I only press upon the public attention the most conclusive evidence of which the case is susceptible that the property, peace, and security of no section are to be in any wise endangered by the incoming Administration." It is well known that one of the grievances on which the slaveholders had laid great stress was the opposition made in certain Northern States to the surrender of fugitive slaves. The position taken by Mr. Lincoln in reference to this matter was unmistakable: "There is much controversy about the delivering up of fugitives from service or labor. The clause I now read is as plainly written in the Constitution as any other of its provisions: 'No person held to labor or service in one State, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.' It is scarcely questioned that this provision was intended by those who made it for the reclaiming of what we call fugitive slaves, and the intention of the lawgiver is the law. All members of Congress swear their support to the whole Constitution—to this provision as much as to any other. To the proposition, then, that slaves whose cases come within the terms of this clause, 'shall be delivered up,' their oaths are unanimous. Now, if they would make the effort in good temper, could they not with nearly equal unanimity frame and pass a law by means of which to keep good that unanimous oath? There is some difference of opinion whether this clause should be enforced by national or by State authority, but surely that difference is not a very material one. If the slave is to be surrendered, it can be of but little consequence to him or to others by which authority it is done. And should any one in any case be content that his oath shall go unkept on a merely unsubstantial controversy as to how it shall be kept?"

It is well known that in his exposition of the nature of the contract assumed by the States which adopted the Constitution Mr. Lincoln planted himself firmly on the ground taken by Daniel Webster, and that he even went somewhat further than did the great Senator from Massachusetts in opposition to the doctrines of Calhoun. The relevant passage in the inaugural address runs as follows; it will be remembered that at the time when it was uttered a number of the Southern States had passed ordinances of secession and had declared themselves to be no longer members of the Union: "I hold that in contemplation of universal law and of the Constitution the union of these States is perpetual. Perpetuity is implied if not expressed in the fundamental law of all national governments. It is safe to assert that no government proper ever had a provision in its organic law for its own termination. Continue to execute all the express provisions of our National Constitution, and the Union will endure forever, it being impossible to destroy it, except by some action, not provided for in the instrument itself." Again: "If the United States be not a Government proper, but an association of States, in the nature of a contract merely, can it, as a contract, be peaceably unmade by less than all the parties who made it? One party to a contract may violate it—break it, so to speak—but does it not require all to lawfully rescind it? Descending from these general principles, we find the proposition that in legal contemplation the Union is perpetual confirmed by the history of the Union itself. The Union is much older than the Constitution. It was formed, in fact, by the Articles of Association in 1774. It was matured and continued by the Declaration of Independence in 1776. It was further matured, and the faith of all the then thirteen States expressly plighted and engaged that it should be perpetual, by the Articles of Confederation in 1778. And, finally, in 1787 one of the declared objects for ordaining and establishing the Constitution was to '*form a more perfect Union*.' But if destruction of the Union by one or by a part only of the States be lawfully possible, the Union is less perfect than before the Constitution, having lost the vital element of perpetuity. It follows from these views that no State upon its own mere motion can lawfully get out of the Union; that resolves and ordinances to that effect are legally void, and that acts of violence within any State or States against the authority of the United States are insurrectionary or revolutionary according to circumstances. I, therefore, consider that in view of the Constitution and the laws the Union is unbroken, and to the extent of my ability I shall take care, as the Constitution itself expressly enjoins upon me, that the laws of the Union be faithfully executed in all the States."

II.

The attack upon Fort Sumter is dealt with in the "special session" message, dated July 4, 1861. Congress was reminded that the Executive had said to the seceding States in the inaugural address: "You can have no conflict unless you are yourselves the aggressors," and that he had taken pains to keep this declaration good. By the affair at Fort Sumter, however, the point designated had been reached: "Then and thereby the assailant of the Government began the conflict of arms without a gun in sight or in expectancy to return their fire, save only the few in the fort, sent to that harbor years before for their own protection, and still ready to give that protection in whatever was lawful. In this act, discarding all else, they have forced upon the country the distinct issue, 'immediate dissolution or blood.' And this issue embraces more than the fate of these United States. It presents to the whole family of man the question whether a constitutional republic or democracy—a government of the people by the same people—can or cannot maintain its territorial integrity against its own domestic foes. It presents the question whether discontented individuals, too few in numbers to control administration according to organic law in any case, can always, upon the pretences made in this case, or on any other pretence, or arbitrarily without any pretence, break up their government, and thus practically put an end to free government upon the earth. It forces us to ask, Is there in all republics this inherent and fatal weakness? Must a government of necessity be too *strong* for the liberties of its own people, or too *weak* to maintain its own existence? So viewing the issue, no choice was left but to call out the war power of the Government, and so to resist force employed for its destruction by force for its preservation!"

In the course of the same message Mr. Lincoln returned to the discussion of the alleged right of secession, considering it of the utmost moment to prove that the withdrawal of the so-called Confederate States from the Union was a rebellion and nothing else. After denouncing as a sophism the assertion that any State of the Union may, consistently with the national Constitution, and therefore lawfully and peacefully, withdraw from the Union without the consent thereof or that of any other State, Mr. Lincoln proceeds to develop his argument as follows: "This sophism derives much, perhaps the whole, of its currency from the assumption that there is some omnipotent and sacred supremacy pertaining to a State—to each State of our Federal Union. Our States have neither more nor less power than that reserved to them in the Union by the Constitution, no one of them ever having been a State out of the Union. The original ones passed into the Union even *before* they cast off their British colonial dependence, and the new ones each came into the Union from a condition of dependence, excepting Texas, and even Texas, in its temporary independence, was never designated a State. The new ones only took the designation of States on coming into the Union, while that name was first adopted for the old ones in and by the Declaration of Independence. Therein the 'United Colonies' were declared to be 'free and independent States,' but even then the object plainly was not to declare their independence of one another or of the Union, but directly the contrary, as their mutual pledge and their mutual action before, at the time, and afterward abundantly show. The express plighting of faith by each and all of the original thirteen in the articles of confederation, two years later, that the Union shall be perpetual, is most conclusive. Having never been States, either in substance or in name, *outside* of the Union, whence this magical omnipotence of 'State rights' asserting a claim of power to lawfully destroy the Union itself? Much is said about the 'sovereignty' of the States, but the word even is not in the national Constitution, nor, as is believed, in any of the State constitutions. What is a 'sovereignty' in the political sense of the term? Would it be far wrong to define it 'a political community without a political superior?' Tested by this, no one of our States, except Texas, ever was a sovereignty; and even Texas gave up the character in coming into the Union, by which act she acknowledged the Constitution of the United States and the laws and treaties of the United States made in pursuance of the Constitution to be for her the supreme law of the land. The States have their status in the Union, and they have no other legal status. If they break from this, they can only do so against law, and by revolution. The Union, and not themselves separately, procured their independence and their liberty. By conquest or purchase the Union gave each of them whatever of independence or liberty it has. The Union is older than any of the States, and, in fact, it created them as States. Originally some dependent colonies made the Union, and, in turn, the Union threw off their old dependence for them and made them States, such as they are. Not one of them ever had a State Constitution independent of the Union. Of course, it is not forgotten that all the new States framed their Constitutions before they entered the Union, nevertheless dependent upon and preparatory to coming into the Union."

In the same message further reasons are given for denying the existence of the alleged right of secession. We subjoin some of these: "What is now combated is the position that secession is *consistent* with the Constitution, is *lawful* and *peaceful*. It is not contended that there is any express law for it, and nothing should ever be implied as law which leads to unjust or absurd consequences. The nation purchased with money the countries out of which several of these States were formed. Is it just that they shall go off without leave and without refunding? The nation paid very large sums (in the aggregate, I believe, nearly a hundred millions) to relieve Florida of the aboriginal tribes. Is it just that she shall now be off without consent or without making any return? The nation is now in debt for money applied to the benefit of these so-called seceding States in common with the rest. Is it just that either creditors shall go unpaid or the remaining States pay the whole? A part of the present national debt was contracted to pay the old debts of Texas. Is it just that she shall leave and pay no part of this herself? Again, if one State may secede, so may another; and when all shall have seceded, none is left to pay the debts. Is this quite just to creditors? Did we notify them of this sage view of ours when we borrowed the money? If we now recognize this doctrine by allowing the seceders to go in peace, it is difficult to see what we can do if others choose to go or to extort terms upon which they will promise to return."

That the suppression of the rebellion would be an object lesson to the opponents of free institutions throughout the world was brought out with distinctness in another paragraph of this notable message: "Our popular Government has often been called an experiment. Two points in it our people have already settled—the successful *establishing* and the successful *administering* of it. One still remains—its successful *maintenance* against a formidable internal attempt to overthrow it. It is now for them to demonstrate to the world that those who can fairly carry an election can also suppress a rebellion; that ballots are the rightful and peaceful successors of bullets, and that when ballots have decided there can be no successful appeal back to bullets; that there can be no successful appeal except to ballots themselves, at succeeding elections. Such will be a great lesson of peace, teaching men that what they cannot take by an election neither can they take it by a war; teaching all the folly of being the beginners of a war."

III.

In Mr. Lincoln's first annual message, dated Dec. 3, 1861, he took the first step toward the emancipation of slaves. The passage in which his intention is announced is worth quoting because it indicates how far he still was from contemplating any wholesale liberation of the blacks without making any payment therefor and purely as a hostile step taken in the exercise of the war power: "Under and by virtue of the act of Congress, entitled 'An act to confiscate property used for insurrectionary purposes,' approved Aug. 6, 1861, the legal claims of certain persons to the labor and service of certain other persons have become forfeited, and numbers of the latter thus liberated are already dependent on the United States and must be provided for in some way. Besides this, it is not impossible that some of the States will pass similar enactments for their benefit respectively, and by operation of which persons of the same class will be thrown upon them for disposal. In such case I recommend that Congress provide for accepting such persons from such States according to some mode of valuation, in lieu, *pro tanto*, of direct taxes, or upon some other plan to be agreed on with such States respectively; that such persons on such acceptance by the General Government be at once deemed free, and that in any event steps be taken for colonizing both classes (or the one first mentioned if the other shall not be brought into existence) at some place or places in a climate congenial to them. It might be well to consider, too, whether the free colored people already in the United States could not, so far as individuals may desire, be included in such colonization."

The next step toward emancipation was proposed in a special message, March 6, 1862. It will be observed that Mr. Lincoln advocated the advancement to any State, from which a request should be received, of the money needed to purchase the slaves therein at a fair valuation. This remarkable proposal has not received the attention which it deserves, probably because, although it met with the approval of Congress, it was not accepted by any slaveholding State: "I recommend the adoption of a joint resolution by your honorable bodies which shall be substantially as follows: '*Resolved*, That the United States ought to co-operate with any State which may adopt gradual abolishment of slavery, giving to such State pecuniary aid, to be used by such State, in its discretion, to compensate for the inconveniences, public and private, produced by such change of system.' If the proposition contained in the resolution does not meet the approval of Congress and the country, there is the end; but if it does command such approval, I deem it of importance that the States and people immediately interested should be at once distinctly notified of the fact so that they may begin to consider whether to accept or reject it. The Federal Government would find its highest interest in such a measure, as one of the most efficient means of self preservation. The leaders of the existing insurrection entertain the hope that this Government will ultimately be forced to acknowledge the independence of some part of the disaffected region, and that all of the slave States north of such part will then say, 'The Union for which we have struggled having already gone, we now choose to go with the southern section.' To deprive them of this hope substantially ends the rebellion, and the initiation of emancipation completely deprives them of it as to all the States initiating it. The point is not that all the States tolerating slavery would very soon, if at all, initiate emancipation, but that while the offer is equally made to all, the more northern shall by such initiation make it certain to the more southern that in no event will the former ever join the latter in their proposed confederacy. I say 'initiation' because, in my judgment, gradual and not sudden emancipation is better for all. In the mere financial or pecuniary view any member of Congress with the census tables and Treasury reports before him can readily see for himself how very soon the current expenditures of this war would purchase, at fair valuation, all the slaves in any named State. Such a proposition on the part of the General Government sets up no claim of a right by Federal authority to interfere with slavery within State limits, referring, as it does, the absolute control of the subject in each case to the State and its people immediately interested. It is proposed as a matter of perfectly free choice with them."

On July 17, 1862, a bill was passed by Congress to suppress insurrection, to punish treason and rebellion, and to seize and confiscate the property of rebels. The bill was signed by the President who, however, thought that certain sections of it called for comments, which he communicated in a special message. We make the following extract from these comments, because we wish to indicate the gradual trend of Mr. Lincoln's mind toward sweeping emancipation: "It is also provided that the slaves of persons convicted under these sections shall be free. I think there is an unfortunate form of expression rather than a substantial objection in this. It is startling to say that Congress can free a slave within a State, and yet if it were said that the ownership of the slave had first been transferred to the nation and that Congress had then liberated him, the difficulty would at once vanish. And this is the real case. The traitor against the General Government forfeits his slave at least as justly as he does any other property, and he forfeits both to the Government against which he offends. The Government, so far as there can be ownership, thus owns the forfeited slaves, and the question for Congress with regard to them is: 'Shall they be made free or be sold to new masters?' I perceive no objection to Congress deciding in advance that they shall be free. To the high honor of Kentucky, as I am informed, she has been the owner of some slaves by escheat, and has sold none, but liberated all. I hope the same is true of some other States. Indeed, I do not believe it would be physically possible for the General Government to return persons so circumstanced to actual slavery. I believe there would be physical resistance to it which could neither be turned aside by argument nor driven away by force. In this view I have no objection to this feature of the bill."

IV.

It was on Sept. 22, 1862, that President Lincoln issued the memorable proclamation declaring that on Jan. 1, 1863, all persons held as slaves within any State or designated part of a State, the people whereof should then be in rebellion against the United States, should be then, thenceforward, and forever free. The designation announced was made on Jan. 1, 1863, but, of course, it was applicable only to the States in rebellion. With regard to those not in rebellion, Mr. Lincoln, in his second annual message, dated Dec. 1, 1862, recommended the adoption of three amendments to the Constitution. The three new articles proposed were these: "Every State wherein slavery now exists which shall abolish the same therein at any time or times before the 1st of January, A. D. 1900, shall receive compensation from the United States as follows, to wit: The President of the United States shall deliver to every such State bonds of the United States bearing interest at the rate of — per cent. per annum to an amount equal to the aggregate sum of —— for each slave shown to have been therein by the eighth census of the United States, said bonds to be delivered to such State by installments or in one parcel at the completion of the abolishment accordingly as the same shall have been gradual or at one time within such State; and interest shall begin to run upon any such bond only from the proper time of its delivery as aforesaid. Any State having received bonds as aforesaid, and afterward reintroducing or tolerating slavery therein shall refund to the United States the bonds so received, or the value thereof, and all interest paid thereon. ART. —. All slaves who shall have enjoyed actual freedom by the chances of the war at any time before the end of the rebellion shall be forever free; but all owners of such who shall not have been disloyal shall be compensated for them at the same rates as is provided for States adopting abolishment of slavery, but in such way as no slave shall be twice accounted for. ART. —. Congress may appropriate money and otherwise provide for colonizing free colored persons, with their own consent, at any place or places without the United States."

These amendments, of course, were never adopted, but it is interesting to note the arguments by which Mr. Lincoln supported them. He conceded that the emancipation would be unsatisfactory to the advocates of perpetual slavery, but he urged that the length of time prescribed (thirty-seven years) should greatly mitigate their dissatisfaction. "The time spares both races from the evils of sudden derangement—in fact, from the necessity of any derangement—while most of those whose habitual course of thought will be disturbed by the measure will have passed away before its consummation. They will never see it. Another class will hail the prospect of emancipation, but will deprecate the length of time. They will feel that it gives too little to the now living slaves. But it really gives them much. It saves them from the vagrant destitution which must largely attend immediate emancipation in localities where their numbers are very great, and it gives the inspiring assurance that their posterity shall be free forever. The plan leaves to each State choosing to act under it to abolish slavery now or at the end of the century, or at any intermediate time, or by degrees extending over the whole or any part of the period, and it obliges no two States to proceed alike. It also provides for compensation and, generally, the mode of making it. This, it would seem, must further mitigate the dissatisfaction of those who favor perpetual slavery, and especially of those who are to receive the compensation. Doubtless some of those who are to pay and not to receive will object. Yet the measure is both just and economical. In a certain sense the liberation of slaves is the destruction of property—property acquired by descent or by purchase, the same as any other property. It is no less true for having been often said that the people of the South are not more responsible for the original introduction of this property than are the people of the North; and when it is remembered how unhesitatingly we all use cotton and sugar and share the profits of dealing in them, it may not be quite safe to say that the South has been more responsible than the North for its continuance. If, then, for a common object, this property is to be sacrificed, is it not just that it be done at a common charge? And if, with less money, or money more easily paid, we can preserve the benefits of the Union by this means than we can by the war alone, is it not also economical to do it?"

In his third annual message, dated Dec. 8, 1863, Mr. Lincoln referred to the results of the emancipation proclamation, which had been issued on the 1st day of January in that year. It will be remembered that among the supporters of the Union opinion was divided both as to the constitutionality and expediency of the measure. It is this state of things to which Mr. Lincoln refers in the following paragraph: "The policy of emancipation and of employing black soldiers gave to the future a new aspect, about which hope and fear and doubt contended in uncertain conflict. According to our political system, as a matter of civil administration, the General Government had no lawful power to effect emancipation in any State, and for a long time it had been hoped that the rebellion could be suppressed without resorting to it as a military measure. It was all the while deemed possible that the necessity for it might come, and that, if it should, the crisis of the contest would then be presented. It came, and, as was anticipated, it was followed by dark and doubtful days. Eleven months having now passed, we are permitted to take another review. The rebel borders are pressed still further back, and, by the complete opening of the Mississippi, the country dominated by the rebellion is divided into distinct parts, with no practical communication between them. Tennessee and Arkansas have been substantially cleared of insurgent control, and influential citizens in each, owners of slaves and advocates of slavery at the beginning of the rebellion, now declare openly for emancipation in their respective States. Of those States not included in the emancipation proclamation, Maryland and Missouri, neither of which, three years ago, would tolerate any restraint upon the extension of slavery into new territories, only dispute now as to the best mode of removing it within their own limits."

It will be recalled that the proclamation, besides freeing all slaves in certain designated States and parts of States, provided for the employment of freedmen, physically qualified, in the army of the United States. The outcome of such employment is stated and the effect of the emancipation measure upon public opinion at home and abroad is summed up in a few sentences: "Of those who were slaves at the beginning of the rebellion full 100,000 are now in the United States military service, about one-half of which number actually bear arms in the ranks, thus giving the double advantage of taking so much labor from the insurgent cause and supplying the places which otherwise must be filled with so many white men. So far as tested, it is difficult to say they are not as good soldiers as any. No servile insurrection or tendency to violence or cruelty has marked the measures of emancipation and arming the blacks. These measures have been much discussed in foreign countries, and, contemporary with such discussion, the tone of public sentiment there is much improved. At home, the same measures have been fully discussed, supported, criticised and denounced, and the annual elections following are very encouraging to those whose official duty it is to bear the country through this great trial. Thus we have the new reckoning. The crisis which threatened to divide the friends of the Union is past."

V.

In Mr. Lincoln's fourth annual message, dated Dec. 6, 1864, the most interesting passage is that in which the conviction is expressed that no attempt at negotiation with Mr. Jefferson Davis, the President of the Southern Confederacy, could result in any good. The reasons for the conviction were the following: "He would accept nothing short of severance of the Union, precisely what we will not and cannot give. His declarations to this effect are explicit and oft-repeated. He does not attempt to deceive us. He affords us no excuse to deceive ourselves. He cannot voluntarily reaccept the Union; we cannot voluntarily yield it. Between him and us the issue is distinct, simple and inflexible. It is an issue which can only be tried by war and decided by victory. If we yield, we are beaten; if the Southern people fail him, he is beaten. Either way, it would be the victory and defeat following war. What is true, however, of him who heads the insurgent cause is not necessarily true of those who follow. Although he cannot reaccept the Union, they can. Some of them, we know, already desire peace and reunion. The number of such may increase. They can at any moment have peace simply by laying down their arms and submitting to the national authority under the Constitution. After so much, the Government could not, if it would, maintain war against them. The loyal people would not sustain or allow it. If questions should remain, we would adjust them by the peaceful means of legislation, conferences, courts, and votes, operating only in constitutional and lawful channels. Some certain and other possible questions are and would be beyond the executive power to adjust; as, for instance, the admission of members into Congress, and whatever might require the appropriation of money. The executive power itself would be greatly diminished by the cessation of actual war. Pardons and remissions of forfeitures, however, would still be within executive control. In what spirit and temper this control would be exercised can be fairly judged of by the past."

Notwithstanding the views above set forth regarding the futility of negotiations, Mr. Lincoln did have an interview on Feb. 3, 1865, with three representatives of the Southern Confederacy, Messrs. Alexander S. Stephens, J. A. Campbell, and R. M. P. Hunter. The conference ended without result. As Mr. Lincoln reported in a communication to the Senate on the subject, the conferees on the part of the seceding States refrained from saying that, in any event, or on any condition, they ever would consent to reunion, and equally omitted to declare that they never would so consent. They seemed to desire a postponement of that question and the adoption of some other course first, which, as some of them seemed to argue, might or might not lead to reunion, but which course Mr. Lincoln thought would amount to an indefinite postponement.

Mr. Lincoln's second inaugural address was unusually short, but it is invested for the reader with a pathetic interest, both by reason of its intrinsic purport and because we know that the speaker had at the time (March 4, 1865) only six weeks to live. We quote the passage in which the President contrasts the circumstances under which his first and second inaugural addresses were delivered, and, with this extract, we take leave for the present of this valuable volume. It is pointed out that on March 4, 1861, "one-eighth of the whole population were colored slaves, not distributed generally over the Union, but localized in the southern part of it. These slaves constituted a peculiar and powerful interest. All knew that this interest was somehow the cause of the war. To strengthen, perpetuate and extend this interest was the object for which the insurgents would rend the Union even by war, while the Government claimed no right to do more than to restrict the territorial enlargement of it. Neither party expected for the war the magnitude or the duration which it has already attained. Neither anticipated that the cause of the conflict might cease with or even before the conflict itself should cease. Each looked for an easier triumph and a result less fundamental and astounding. Both read the same Bible and pray to the same God, and each invokes His aid against the other. It may seem strange that any men should dare to ask God's assistance in wringing their bread from the sweat of other men's faces; but let us judge not, that we be not judged. The prayers of both could not be answered. That of neither has been answered fully. The Almighty has His own purposes. 'Woe unto the world because of offences; for it must needs be that offences come, but woe unto that man by whom the offense cometh.' If we shall suppose that American slavery is one of those offences which, in the providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to both North and South this terrible war as the woe due to those by whom the offence came, shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to Him? Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondsman's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said 'the judgments of the Lord are true and righteous altogether.' With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations." M. W. H.

English Catholics in Modern Times.

We are indebted to Mr. WILFRID WARD, author of "William George Ward and the Oxford Movement," for the two volumes collectively entitled *The Life and Times of Cardinal Wiseman* (Longmans, Green & Co.). This book has been produced at the suggestion of Cardinal Vaughan, who placed at the author's disposal the subject's correspondence and other documents collected by Cardinal Manning and by Father Morris, who undertook to compile a biography, but only lived to complete the first chapter. Comprehensive as this work is, it contains only a comparatively brief selection from Wiseman's large foreign correspondence, the letters chosen being chiefly from Döllinger and from members of the French Episcopate on matters of international interest. The long and important political memorandum relating to the movement for Italian unity which was drawn up and presented by Wiseman himself to Lord Palmerston in 1847 is here published for the first time. Naturally, it is the part of Wiseman's career that concerns his work for the Catholic Church in England which is dealt with most fully in these pages. The author is justified in believing that the close bearing of Wiseman's work on the progress of the Oxford movement, and its historical importance, viewed in the light of the dramatic story of the English Catholics since the Reformation, will give this part of his life an interest even for readers who are not his co-religionists.

Nicolas Wiseman came to England in 1835. What was the position of Catholics in that country at that time, and how had that position been modified since the days of Elizabeth? An answer to the question is indispensable in order to understand the changes wrought by Wiseman himself, and by Newman, Manning, and others. Some seventy pages of the first volume of this work are devoted to the romantic story of the "Papists," as the Catholics came to be called in England after the establishment of the Protestant ascendancy. It is the broad features of the checkered career of the English "Papists" in its relation to the history of the English mind which we shall outline in this notice, reserving for another time some account of Wiseman's life and the rehabilitation of Catholicism in England, to which he contributed.

I.

The word "Papist" was used as early as the reign of Henry VIII. The term was then applied to the very few who stood out against the Royal Supremacy. The bulk of the nation, sick of strife and conscious of the sovereign's absolute power, accepted the new legislation with little show of discontent. Sir Thomas More's daughter, for instance, Margaret Roper, accepted the Royal Supremacy with a conscience clause to save her allegiance to the Papacy. By the mass of the people the provisional acceptance of the Royal Supremacy does not seem to have been at first regarded as a decisive act. Even Bishop Tunstall, who, under Elizabeth, refused to take the oath of supremacy, had, in Henry's time, expressly maintained that no separation from the Catholic Church was involved in it. The expectation, in truth, was general that the quarrel between the King and the Pope would be made up, as many a quarrel had been before. By the time of Henry's death, however, the course of events had thrown more light on the import of the new system, and the religious changes in the reign of Edward VI. convinced many that, in the circumstances of the time, the Royal Supremacy involved a permanent breach with Rome, and led, necessarily, to the dominion of Protestantism. As soon as Englishmen began to identify the cause of the Catholic theology with that of the Papal supremacy, the number of those known as "Papists" increased. The danger of finally breaking with the Papacy was felt to be a very different thing from protests against individual Papal encroachments, a thing as different as is constitutional agitation from rebellion. Thus Gardiner, who had acquiesced in the Royal Supremacy in Henry's reign, now recognized the justice of the view which had been taken by Sir Thomas More that the unity of the Church was really at stake. He declared for the Pope, and probably represented the prevailing trend of the English mind at the time. Prof. Beesly, who has made a careful study of the matter, holds that the return to communion with the Catholic Church and the recognition of the Pope as its head, which took place under Queen Mary, gave satisfaction to three-fourths, perhaps five-sixths, of the nation, and to a still larger proportion of its most influential class, the great landed proprietors. It is certain that the whole system which had been pursued during Edward's reign fell with a sudden crash on Mary's accession. This was a great and unique opportunity for the old Church, and, had a more conciliatory policy been adopted, it is possible that the Catholic reaction might have borne permanent fruit. Prof. Beesly thinks that, if Mary had contented herself with restoring the old worship, depriving the few Protestant clergy of their benefices, and punishing only outrageous attacks on the State religion, Elizabeth would not have had the power, had she even had the inclination, to undo her sister's work. Unfortunately for Catholicism, the martyrdoms at Smithfield, endured by the Protestants with heroic fortitude, disgusted Englishmen anew. "You have lost the hearts of 20,000 that were rank Papists within these twelve months," wrote a Protestant to Bonner. Cranmer's execution, enhanced in its effect by his fruitless attempt to escape by recantation, affected the popular mind most of all. The implacable war declared against heresy, in which not even repentance could save the victim from the stake, caused a deep dread of Roman fanaticism and Roman power, the effects of which have not entirely passed away to this day.

In this state of things the general relief experienced at Elizabeth's accession invested her, temporarily, with a peculiar influence. Driven by stress of circumstances on the Protestant party for support, she attempted the religious settlement which is familiar to all readers of ancient history. The Council of Trent had not yet made its unalterable definition of the issues, and some *modus vivendi* did not seem beyond hope. She made no startling change in the external framework of the Church, and formularies not ultra-Protestant, but calculated to secure, at least, the external conformity of all moderate persons who were yearning for religious peace, were made the basis of the new settlement. It is true that, for the mass, was substituted the prayer book of Edward VI., but from this was omitted the denunciation of the "Detestable enormities of the Bishop of Rome." It looked at first as if Elizabeth's aim at accommodation might be carried out. The majority of the Catholics, sick of bloodshed, attended the new services, though their Bishops, with one exception, refused to take the oath of supremacy. Within the first two years of the reign, however, many of the Catholics withdrew, and in 1562 the Pope formally forbade participation in the "heretical" worship. It was not until after this that the far more Protestant Thirty-nine Articles were adopted by convocation in 1562. Even after the Pope's prohibition large numbers of the Catholics ostensibly conformed, in deference to the fines imposed for recusancy, and yet preserved their Catholic belief. They even, in some cases, "took wine with the parson" once a year, as Squire Brockholes of Claughton styled his own occasional participation in the Anglican communion. Only gradually did such priests as Dr. (afterward Cardinal) Allen succeed in making it clear to English Catholics that attendance at the new worship was absolutely unlawful.

II.

It was the withdrawal of the zealous "Papists" from the Anglican churches which first gave the separate organization of a corporate body to the ancestors of the Catholics whom Wiseman found in England. Dr. Allen wrote in the later years of Elizabeth that two-thirds of the people were still "inclined to the Catholic religion in their hearts." Cardinal Bentivoglio, whose estimate is indorsed by Macaulay, held that four-fifths of the English people would become Catholics under a Catholic dynasty. Such computations, if accepted, would explain the peculiarity of the position of the Catholic party and the hopes entertained by it, hopes that otherwise seem preposterous in view of the comparatively small number of actual recusants. Dr. Allen, the most active leader of the recusants, founded Douay College in 1568, with the undisguised object of keeping up the supply of English priests against the happy day of the restoration of the old religion. Himself an Oxford man, and with nine Fellows of Oxford College to help him, he transplanted to Douay the traditions of the Oxford of mediæval times. The zealous Catholics whom Allen represented claimed that, in withdrawing from the Anglican churches, they were acting simply as loyal subjects of the ancient Catholic Church in England. All the Bishops of that Church, except one, had resisted the changes, and the Queen had deposed them. The Act of Uniformity had been passed in the teeth of the remonstrances of Convocation. The Catholics denied the right of the Queen either to depose the Bishops or to force the Act of Uniformity on the Church. The sense, moreover, that, in their unflinching opposition to the new system, they were defending from profanation much that a Catholic deems holy was gradually deepened by the fanatical Protestantism of some of the Bishops of the Established Church, especially in relation to the mass. The language used by such Bishops as Jewell, Bullingham, Bale, Grindal, Sandys, and Pilkington, was often suggestive of the Puritan bigotry which became so conspicuous outside the Established Church in the following century. Nor were their actions out of harmony with their words. The destruction of the altars ordered in 1571 and the systematic profaning of sacred vessels and vestments betrayed a hatred of all that was connected with the great central act of the old worship, a hatred which, by reaction, roused the deepest religious instincts of Catholics, and bred among them a horror of the National Church.

While, then, in the first years of Elizabeth's reign the Catholics explained their attendance at the established worship on the plea that there was nothing therein positively contrary to Catholic faith, their attitude when the movement toward Protestantism developed was that of men outraged in their most sacred convictions. The separation and antagonism between the communions became deeply marked; and those who remained Catholics at heart, but still conformed outwardly, under pressure of the penal laws, were regarded both by the avowed Catholics and by the Protestants as acting against their consciences. The members of this numerically important class of the community, on whose gradual assimilation to the National Church the permanence of the change in the national religion largely depended, were known as "schismatics," or "demi-Catholics," or "Catholic-like Protestants," or, more popularly, as "Church Papists;" that is to say, Papists who go to an Anglican church. It is important to keep the "Church Papists" sharply distinguished from the "Papists." Numerous under Elizabeth, the former still constituted a class to be reckoned with in the latter days of Charles I. In 1643 the fact was noted by the Catholic Vicar Apostolic that some of the Church Papists kept priests secretly, with a view to being reconciled to the Church on their deathbed. To win these men to recusancy had been recognized as of great moment in the days of Elizabeth, for it was clear enough that, otherwise, their children or grandchildren would grow up Protestants. In an exhortation to the "Church Papists," written by an English Catholic and printed in 1596, may be read the following words in reference to their partaking of the Anglican communion, words which show the sense of desecration with which Catholics regarded the intrusion of the new sacrament, accompanied, as it was, by blasphemy and insult of the mass: "The communion, O poisoned cup, better it were for you to eat so much ratsbane than that polluted bread, and to drink so much dragon's gall or viper's blood than that sacrilegious wine. * * * Abandon, for Christ Jesus's sake, their external conversation in religion whose company, internally, you detest! For, in very deed, most of the Protestants hate you, the Catholics dislike you, the devils laugh at you, and God doth vomit you out of His mouth. Woe be to that man that goeth with two hearts, that walketh two ways, that intendeth to be Christ's disciple and a favorite of the world." That, on the other hand, the "Church Papist" was not much respected by the members of the Established Church, to say nothing of ultra-Protestants, may be seen from the following account of him generally ascribed to John Earle, afterward Bishop of Salisbury: "A Church Papist is one that parts his religion betwixt his conscience and his purse, and comes to church not to serve God, but the King. The face of the law makes him weare the maske of the Gospel, which he uses not as a meanes to save his soule, but his charges. He loves Popery well, but is loath to lose by it, and though he be something scared with the Bulls of Rome, yet they are farre off, and he is strucke with more terrour at the Apparitor. Once a month he presents himselfe at the Church, to keepe off the Church-warden, and brings in his body to save his bayle. He kneels with the Congregation, but prayes by himselfe, and askes God forgivenesse for coming thither. If he be forc'd to stay out a Sermon, he puts his hat over his eyes, and frowns out the houre, and when he comes home, thinkes to make amends for this fault by abusing the Preacher. His maine policy is to shift off the Communion, for which he is never unfurnish't of a quarrell, and will bee sure to bee out of Charity at Easter; and, indeed, lies not, for he has a quarrele to the Sacrament. He would make a bad Martur, and good traveller, for his conscience is so large, he could never wander out of it, and in Constantinople would be circumcis'd with a reservation."

III.

There is no doubt that, under Elizabeth, Protestantism gained ground rapidly, at the expense of the "Church Papists." During the last twenty years of her reign Lutheranism or Calvinism had been, for the most part, preached from the pulpits. Mr. Ward points out, however, that in the dramatists of this time we still find a lingering respect and sympathy for much that is Catholic, which, of course, would not have been expressed had it been unpalatable to the audiences. By Shakespeare a monk or friar is represented as an object of veneration. Among his contemporary playwrights celibacy is a matter for respect and even reverence. Roman priests are generally treated with honor. In one of Massinger's plays may be discerned the admiration commanded by the Jesuit martyrs. In a word, the deep irritation aroused by the acts of the Papacy against Elizabeth and against the English nation had not yet destroyed Catholic sentiment nor the respect for the keystone of the Catholic system, the Roman priesthood. This surviving sentiment was the basis of the hopes entertained by English Catholics that a strong Catholic monarch might secure for them a toleration which would gradually lead to reconciliation with Rome. The son of Mary Queen of Scots, for whom Catholics had suffered so much, was expected to be favorable to their case. But Puritan influences and the fears of foreign invasion threw James on the Protestant side. The penal laws were reënacted, and the depth of Catholic disappointment was supposed to have found vent in the Gunpowder Plot. The conspiracy, or the belief in a conspiracy, helped to distort the conception of "Papists" which was impressing itself upon a rising generation that had no earlier memories of monastic sanctity. Then it came to pass that the Pope refused to sanction a Catholic oath of allegiance, which denied the "deposing power," although the English archpriest, Dr. Blackwell, had approved of it. This was the signal for many who previously had been outright "Papists" to conform to the Established Church, and, henceforth, the strength of the Catholic party was materially lowered. Its vitality, however, was still considerable, and, toward the end of the reign, Catholics practically enjoyed a good deal of toleration. To this more favorable attitude the proposed marriage of the future Charles I. to the Infanta of Spain, and his subsequent betrothal to the Catholic Henrietta Maria, naturally contributed, and, after his accession, there were many conversions to Catholicism. Mass was said publicly and Papal envoys were received at court. Charles avowed his regret for the incidents of the Reformation, though he remained faithful to the national church. One of the grievances of Parliament against the King lay in the known wishes of some Anglican prelates for reunion with Rome. The change effected in the position of the "Papists" in Charles's reign was described by the Queen's almoner in an oration published in 1647: "The Queen," he said, "has given confidence to poor English Catholics to come forth from their retirements, where they remained shut up in obscurity, and to appear in the light, with their faces erected, to profess and exercise their religion with all assurance, to aspire after, and actually obtain, offices and charges in the court and State, after they have been for the space of an age without liberty of breathing, or, rather, sighing, in secret." Even Archbishop Laud remonstrated with Charles on the growing numbers of the "Papists." Charles himself, recognizing their influence as the approach of civil war, undertook to remove all the penal laws, if the Queen would persuade the Catholics to rally to his standard. They did so almost to a man. After the King's execution, his son, Charles II., found his truest friends among Catholics. When he summoned his loyal subjects to meet him on Aug. 21, 1651, in the meadows near Worcester, four Catholic gentlemen were among those who joined him with troops of horse, and Catholics were among those who sheltered him after the disastrous battle.

IV.

Both a sense of gratitude and his personal sympathy led Charles II. to wish to requite the services of the Catholics with kindness and toleration after the Restoration. He did all he could. He attempted to pass an emancipation act. He persistently opposed the Exclusion bill. A definite scheme of reunion with Rome was drafted soon after the beginning of his reign. Nevertheless, the anti-Papal feeling grew steadily in intensity. Since the time of Charles I. the Catholics had dwindled rapidly in numbers. Of five hundred gentlemen who lost their lives in the civil war, it is estimated that nearly two hundred were Catholics, and many a family of high social position was left without a male representative. The Test act and the intense bigotry of the time led many to conform or to fly the country. "If matters go on like this," wrote the Florentine Minister in December, 1677, "there will soon be no Catholics, either English or foreign, in the country." With reference to the same period, Macaulay has pointed out that hatred of the Roman Catholic religion had become one of the ruling passions of the community, and was as strong in the ignorant and profane as in those who were Protestants from conviction. In the House of Lords in 1678 a noble lord declared, amid thunders of applause, that he "would not have so much as a Popish man or a Popish woman to remain amongst us; not so much as a Popish dog or a Popish bitch; not so much as a Popish cat to mew and purr about our King." It was at this singularly unpropitious time that James II. made his endeavor to restore power and freedom to the Catholics. "Save me from my friends" became a proverb of bitter significance to the Catholics, when James, against the wishes of Catholics themselves and against the direct counsel of the Holy See, set at naught the Test act, and promoted Catholic after Catholic to places of authority and influence in the State and in the Universities. The King's action inflamed the no-Popery feeling to frenzy, and the revolution of 1688 became inevitable.

Henceforth the Catholics were utterly crushed. Laws were passed within a few years after the accession of William and Mary which seemed to promise the utter extirpation of Catholicism in England. The experience of Elizabeth's reign had shown that the infliction of actual death aroused a life-giving enthusiasm among the Catholics themselves and sympathy in the witnesses of their sufferings. Consequently the penal system now introduced was based on the principle that it is better to gag a man, to bind him hand and foot, to bandage his eyes and imprison him for life than to kill him outright. It was made criminal in a Papist to possess arms or to own a horse worth more than £5. To say mass or to keep a school subjected the Papist to perpetual imprisonment. The informer who should lead to the apprehension of a priest for saying mass received £100. Papists were incapable of inheriting any land, tenements, or hereditaments, and could be called upon to give them up in favor of their next of kin. No Papist was permitted to purchase land after April 10, 1700. Any one informing against a Papist who educated his children beyond the sea, as at Douay or St. Omer, received the whole penalty of £100 which had been inflicted by James I. for the offence.

It was in this state that a remnant of the Catholic families lingered on for ninety years, subject to intolerable persecution for the bare exercise of their religion. No doubt the worst of the penal laws were not rigorously enforced, but freedom from molestation could only be secured by absolute secrecy in the performance of all religious duties. The practical effect of the penal laws on the English Catholics in the last century is thus described by Mr. Lecky: "The position of Catholics, and, especially, of Catholic landowners, was always one of extreme precariousness. They were at the mercy of their Protestant relatives, who might easily deprive them of their land; at the mercy of common informers; at the mercy of any two Justices, who might, at any moment, tender to them the Oath of Supremacy. They were, virtually, outlaws in their own country, doomed to a life of secrecy and retirement, and sometimes obliged to purchase, by regular contributions, an exemption from prosecution." The prosecutions, indeed, were not generally due to any wish on the part of the Government to enforce the severest of the laws, but, in Mr. Lecky's words, "to private motives of revenge or avarice." The laws, however, excluding them from the bar, from the army, and from every place of trust or profit under Government were strictly enforced.

It was especially during this period that the English Catholics acquired the peculiar characteristics which were, in great measure, retained within the memory of persons still living. They mixed little with their neighbors, and intermarried with each other. Entirely debarred from public life and from university education, and from habitual participation in the society of their equals in English life, those who remained faithful to their religion necessarily followed more and more the merely agricultural and sporting pursuits of the country squire. The whole body came in some degree to share the traits and interests ascribed by Macaulay, when referring to a little earlier date, to the more bucolic section. Cases, indeed, were not infrequent of open insults to the Catholic who ventured to appear in society. One Catholic lady of good family who went to a Drawing Room was treated with such rudeness by the Lord Chamberlain that Queen Charlotte was moved to repair the injury by a kind word. At a mixed dinner party, the presence of a Catholic guest was often apologized for by the host. The bare announcement of the presence of a Jesuit was, in many cases, enough for the collection of a no-Popery mob. Sydney Smith observed that even in his time "blue and red baboons" were better treated than Catholics. "When a country squire hears of an ape," he writes, "his first impulse is to give it nuts and apples; if he hears, on the other hand, of a Catholic, his immediate impulse is to commit it to the county jail, to shave its head, to alter its customary food, and to have it brutally whipped."

The lowest ebb of English Catholic life was reached about 1770. Soon afterward the movement for the toleration of Catholics began to manifest itself in the Relief act of 1778. This movement seems to have been due to a combination of causes. Along with the genuine and high-minded tolerance of such men as Burke went the touch of skepticism visible in the concurrence, a little later, of Fox, a disdain for all religion which was an echo of Voltairianism, the political motive of conciliating the Irish, suggested by the American war, and, later on, the real enthusiasm for liberty conjoined with a dislike of theological zeal displayed by such men as Sydney Smith and Macaulay. The motive of political expediency was, perhaps, the most decisive, for the American war made Irish disloyalty a positive danger. The measure of relief granted in 1778 was small, but it shook the general prejudice against Catholics to its centre. It restored to them a thousand indescribable charities in the ordinary intercourse of social life which they had seldom experienced. Moreover, what the passing of the act began, the furious outburst of Protestant feeling in the Gordon riots, two years later, completed. The further measure of relief passed in 1791 repealed the penal laws, and legalized Catholic chapels and religious houses. Catholics, however, were still debarred from taking any part in public life. Not until 1829 was the Emancipation act passed, largely through the new influence acquired by the Irish Catholics under O'Connell's leadership and the fear of a civil war in which a Franco-Irish alliance might not be an impossibility. At bottom, however, the Catholics owed their emancipation to the conviction which prevailed in England that they had been reduced to abject insignificance and impotence. Such was the situation with which Nicolas Wiseman had to deal when he reached England in 1835.